



*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

April 18, 2014

**BY HAND**

The Honorable Lorna G. Schofield  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Room 201  
New York, New York 10007

Re: *United States v. Tyrone Brown, et al.*, S2 13 Cr. 345 (LGS)

Dear Judge Schofield:

The Government writes, per the Court's April 7, 2014 Order, to provide documents related to the alleged telephone call described in defendant Tyrone Brown's Declaration, attached as Exhibit Four to his January 16, 2014 Motion to Suppress. The Government encloses the following documents:

Exhibit 1: An NYPD Report recording the time of Detective Ellis Deloren's arrival at Mr. Brown's apartment—approximately 9:30 a.m. on March 26, 2013—and Detective Deloren's observations upon his arrival at Mr. Brown's apartment.

Exhibit 2: Toll records for the cellphone used by Mr. Brown on or around March 26, 2013. For the Court's convenience, the Government has highlighted, at pages 22, 24 and 25 of Exhibit 2, all contacts or attempted contacts between Detective Deloren's cellphone and Mr. Brown's cellphone.

Exhibit 2-A reflects an excerpt of toll records from Exhibit 2, and shows only contacts or attempted contacts between Detective Deloren's cellphone and Mr. Brown's cellphone.

The Government notes that the first toll record reflecting a communication or attempted communication between Detective Deloren and Mr. Brown is at approximately 10:21 a.m. on March 26, 2014, which is after Detective Deloren arrived at Mr. Brown's apartment and responded to exigent circumstances. The Government further notes that it appears the only cellphone communication between Detective Deloren and Mr. Brown of a duration consistent with the conversation alleged in Mr. Brown's

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Declaration occurred at approximately 1:09 p.m. on March 26, 2013 and lasted approximately 300 seconds.

Exhibit 2-B is a report of the subscriber information produced by Mr. Brown's cellphone provider. Exhibit 2-C is further information produced by Mr. Brown's cellphone provider regarding the toll records.

Exhibit 3: An NYPD Report recording the time of the execution of the search warrant at Mr. Brown's apartment as approximately 4 p.m. on March 26, 2013.


Exhibit 4: An NYPD Report recording the time of execution of the search warrant at Mr. Brown's apartment as approximately 4 p.m. on March 26, 2013, and itemizing the evidence seized from Mr. Brown's apartment.

These documents have been produced to Mr. Brown.

Respectfully submitted,

PREET BHARARA  
United States Attorney  
Southern District of New York

By:

  
Negar Tekeei  
Assistant United States Attorney  
(212) 637-2482

cc: John M. Rodriguez, Esq. (By E-Mail and Federal Express)  
*Counsel for Tyrone Brown*